

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 ANDRES C. HERNANDEZ,  
12 Plaintiff,  
13 v.  
14 RICHARD WEISS,  
15 Defendant.

11 No. 2:20-cv-01006-DJC-JDP (PC)  
12  
13 ORDER  
14

17 Plaintiff, a former state prisoner proceeding pro se, has filed this civil rights  
18 action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United  
19 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On July 31, 2023, the Magistrate Judge filed findings and recommendations  
21 herein which were served on all parties and which contained notice to all parties that  
22 any objections to the findings and recommendations were to be filed within fourteen  
23 days. Plaintiff has filed objections to the findings and recommendations, and  
24 Defendant has filed a response.

25 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule  
26 304, this Court has conducted a *de novo* review of this case. Having carefully  
27 reviewed the entire file, the Court finds the findings and recommendations to be  
28 supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed July 31, 2023, are adopted in full;

3 2. Defendant's motion for summary judgment, ECF No. 47, is granted; and

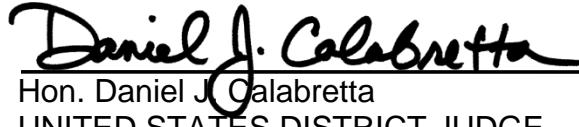
4 3. The Clerk of Court is directed to close the case.

5

6 IT IS SO ORDERED.

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8 Dated: September 13, 2023

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE